

### REMARKS

In response to the Office action of March 19, 2008, Claim 1 has been amended, and Claims 8 and 9 have been rewritten in independent form including all of the limitations of claim 1 as previously presented. The Examiner has stated that such claims would be allowable.

The present invention defined in currently amended claim 1 is patentably distinguishable over Shibata et al (2001/0004269) by the following reasons.

In the mobile communication apparatus defined in currently amended claim 1, the setting means is further responsive to the clockwise or anticlockwise direction of rotary movement between the displaying means and the operating means about the rotation axis, the direction of rotary movement being for controlling the operation modes in accordance with whether the detected direction of rotary movement is clockwise or anticlockwise.

When, for example, the displaying means is rotated with respect to the operating means, the mobile communication apparatus is responsive to the clockwise or anticlockwise direction of rotary movement between the displaying means and the operating means about the rotation axis, and assumes an operation mode corresponding to the direction of rotary movement and the current rotation angle detected by the rotation angle detecting means.

Shibata et al (2001/0004269) teach that activation of various functions provided in the portable terminal is controlled depending on the relative direction of the main unit and the flip unit. However, Shibata et al (2001/0004269) fails to address using direction of rotation (e.g., clockwise and anticlockwise).

Kfoury (US 6,549,789) does not disclose detecting directions of rotation. Bum (US 7,200,423) discloses detecting direction of rotation. However, Kfoury (US 6,549,789) and Bum (US 7,200,423) cannot be combined to have such a feature. Terms such as clockwise and anticlockwise are used in Bum (US 7,200,423), but they are really directed to the resulting position, not to using the direction of rotation that brought the elements to that position.

Therefore, the mobile communication apparatus defined in currently amended claim 1 is completely different in construction from the portable terminal disclosed in Shibata et al (2001/0004269), the portable electronic terminal disclosed in Kfoury (US 6,549,789), and the mobile terminal disclosed in Bum (US 7,200,423).

As will be appreciated from the foregoing description, the present invention defined in currently amended claim 1 is patentably distinguishable over the disclosure of Shibata et al (2001/0004269), Kfoury (US 6,549,789) and Bum (US 7,200,423).

Claims 4 and 6 depend from currently amended claim 1 which is believed to be patentably distinguishable over Shibata et al (2001/0004269) as will be understood from the

previously mentioned reasons. It is, therefore, believed that the present invention defined in each of claims 4 and 6 is patentably distinguishable over the disclosure of Shibata et al (2001/0004269).


Claim 7 depends from currently amended claim 6 which is believed to be patentably distinguishable over Shibata et al (2001/0004269) as will be understood from the previously mentioned reasons. It is, therefore, believed that the present invention defined in claim 6 is patentably distinguishable over the disclosure of Shibata et al (2001/0004269).

In view of the foregoing description, it is respectfully submitted that the present application is thus in condition for allowance.

If any fees are required by this communication, please charge such fees to our Deposit Account No. 16-0820, Order No. ARI-38267.

Respectfully submitted,

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